

**Town of La Pointe Zoning  
Town Plan Commission Regular Monthly Meeting Minutes  
Wednesday, October 21, 2009**

**Town Plan Commission (TPC) Members Present:** Ted Pallas; Chair, Charles Brummer; Vice-Chair, Larry Whalen, Greg Thury, Suellen Soucek, Ron Madich, Carey Baxter (7)

**Town Plan Commission Members Absent:** None

**Public Present:** Paul Brummer, Arnie Nelson, Rick Gillman, Mike Starck, Linda Fuller (5)

**Town Staff Members Present:** Jennifer Croonborg; ZA, Margaretta Kusch; ZCA (2)

**I. Call to Order/Roll Call**

Chair, T. Pallas called the meeting to order at 5 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

**II. Public Comment**

Paul Brummer hopes Warren Anderson gets home from the hospital soon. General agreement.

**III. Approval of Previous Meeting Minutes:**

**a. Town Plan Commission Special Monthly Meeting October 7, 2009**

- Under item VI b. 2., Fee Schedule, document says Fee Schedule is attached to minutes when it has not been. Attach Fee Schedule to amended minutes.

- Under item VI b. 2., Fee Schedule, change "J. Croonborg, ZA presents 2010 fee schedule..." to "J. Croonborg, ZA presents 2010 proposed fee schedule...."

G. Thury moves to approve as amended these Town Plan Commission Special Monthly Meeting of Oct. 15, 2009 minutes. L. Whalen seconds. All in favor, 6 aye. 1 abstains (S. Soucek). Motion carries.

**b. Town Plan Commission Workshop October 15, 2009**

- Margaretta Kusch, ZCA notes that she neglected to type the words "provided that such cupolas" in IIIa. Change "...chimneys and cupolas, do not exceed..." to read "...chimneys and cupolas, provided that such cupolas do not exceed...."

- In IIIa, change "sake" to read "safe."

C. Brummer moves that to approve the minutes of the Town Plan Commission workshop of October 15, 2009 as amended. S. Soucek seconds. All in favor, 5 aye. 2 abstain (G. Thury and C. Baxter). Motion carries.

*Chair Pallas motions that TPC move VII, New Business up at this point. L. Whalen seconds. All in favor, 7 aye. Motion carries.*

**IV. Zoning Administrator's Report**

- Gene Nelson came in and got application for Alteration/Addition permit, so that is moving along.
- Research is coming together on Tom Kromroy complaint RE use of town property on north end. The research being completed following the new ordinance section on Conditional Use Permits that the moratorium did not cover, the only complaint section, and one that Matt Anich had recommended.

**V. Consideration and/or Action of Permit Applications:**

**a. Welsh-Gilman Properties, LLC RE: CSM to combine parcels #014-00293-0800 and #014-00001-0200 South Shore Rd.**

J. Croonborg, ZA makes four recommendations:

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- All the parcel IDs on the map should be deleted because they'll change
- The deletion of lot 12 of the unrecorded plat (as it doesn't exist)
- Larry Hildebrandt's signature should appear on every shoreline parcel
- A tie sheet is needed.

G. Thury moves that the Town Plan Commission recommend that the Town Board approve the Welsh-Gilman property's Certified Survey Map contingent on the four recommendations from the Zoning Administrator. S. Soucek. seconds. All in favor, 7 aye. Motion carries.

**b. Woods, Thomas and Marcy Re: after-the-fact permit application for Addition/Alteration at 908 Nebraska Row**

The last record of this property is the 1876 plat map, and when J. Croonborg, ZA and Larry Hildebrandt visited site, they found that the 3 of the 4 monuments marking the boundaries of the property are no longer in existence. It is impossible to tell if the property meets setbacks. The recommendation is that a certified survey map be obtained.

Chair Pallas moves to let Tom Woods know he needs to get a certified survey map. R. Madich seconds. All in favor, 6 aye. 1 abstain (C. Brummer). Motion carries.

## **VI. Old Business**

**a. Zoning Ordinance Revision Project**

**1. Review and possibly revise 4.3.3 Non-Conforming Grandfathered Lots**

Not discussed.

**2. Review and possibly revise 4.3.4 Camping on Private Lands**

C. Brummer will put something together to discuss at next workshop regarding Door County's camping ordinance.

**b. Charlie Lazor RE: house built on steel chassis**

To be removed from agenda until something is heard from them.

**c. Zoning Schedule of Fees 2010**

G. Thury moves to recommend to the Town Board to amend the schedule of fees for zoning permits for 2010 to include a non-refundable \$50 fee for land use permits that are denied or withdrawn. C. Baxter seconds. All in favor, 7 aye. Motion carries.

## **VII. New Business**

**a. Arnie Nelson fax dated 10/15/2009 RE: Bergeon parcel #014-00054-0900/ 2635 Big Bay Rd.**

Mr. Nelson states that he is representing the Bergeons and that they want to know what it is they can do. Are there ordinances in the works that would become official in 5-6 months, or do they have to go through the Board of Appeals, what are their options. Chair Pallas states that currently it is a non-conforming lot that doesn't meet setbacks, so there is not much to be done. They could apply for a building permit, and would get turned down, then go to the Board of Appeals and take a chance that they'd get a 25% relief on their setbacks. Long discussion ensues. Chair Pallas and J. Croonborg, ZA explain potential changes to be made in the Zoning Ordinance rewrite dealing with non-conforming lots and setbacks, and the goal of easing the process for property owners. The Town Plan Commission is waiting for more research from Attorney Mike Fauerbach on setbacks and special exemptions to make these changes. At this point, however, the trailer on the Bergeon property does not meet any setbacks. Mr. Nelson asks if he must move trailer off-site for winter.

C. Brummer moves that the Bergeon travel-trailer may remain on site till May 1<sup>st</sup>, uninhabited, for the purposes of storage, but before future use as human habitation they will need proper sanitary and meet setbacks as per Town and County ordinances. R. Madich seconds. All in favor, 7 aye. Motion Carries.

*Chair Pallas makes a motion to move back to IV. G. Thury seconds. All in favor, 7 aye. Motion carries.*

**VIII. Future Agenda Items**

- Review minutes of regular monthly meeting from Oct. 21, 2009
- Zoning Schedule of Fees 2010
- Zoning Ordinance Revision Project

**IX. Schedule of Next Meeting**

Regular monthly meeting Wednesday, Nov. 4, 2009 at 5 PM.

Zoning Ordinance Revision Project workshop Thursday, Oct. 29, 2009 at 1 PM.

**X. Adjournment**

C. Brummer moves to adjourn. S. Soucek seconds. All in favor, 7 aye. Motion Carries.

Meeting ends 6:10 PM.

**Draft Town Plan Commission Minutes respectfully submitted by Margaretta Kusch, ZCA, Thursday October 22, 2009.**

**TPC minutes are approved as amended by Margaretta Kusch; ZCA on Wednesday, November 11, 2009.**